

## REMARKS

Claims 51-101 are pending in the Office Action. Applicant thanks the Examiner for indicating the allowable subject matter of claims 72 and 90-91. Claims 52 and 83-85 have been cancelled. Claims 51, 55, 77-78, 90, and 100-101 have been amended. The Examiner's rejections will now be respectfully addressed in turn.

### Rejections under 35 U.S.C. §112, second paragraph

Claims 51-101 have been rejected under 35 U.S.C. §112, second paragraph for being indefinite. Specifically, claims 51 and 55 (and the claims that depend therefrom) have been rejected for including the phrase "such as," claims 51-52, 77-78, 85, 90, and 101 (and the claims that depend therefrom) have been rejected for including the phrase "and/or," and claim 100 has been rejected for including the unclear phrase "wherein disposed." In response, Applicant has removed the phrase "such as" and "and/or" from the claims, and has amended claim 100 to recite "wherein the device is disposed."

Applicant respectfully asserts that the above amendments overcome the 112 rejection.

### Rejections under 35 U.S.C. §102(b)

Claims 51-61, 63-71, 73-89, and 93-101 have been rejected under 35 U.S.C. §102(b) as being anticipated by of W.O. Patent No. 96/21093 to Anderson. Applicant respectfully traverses this rejection.

Referring to Applicant's claims 51 and 55, there is recited "a main reaction passage section heat exchanging in *counterflow* with a main heat transfer passage section." Anderson does not teach a main reaction passage section heat exchanging in *counterflow* with a main heat transfer passage section. In fact, Anderson does not teach any instance of counterflow at all. Instead, referring especially to page 8, lines 27-34 and page 9 line 25 to page 10 line 9, Anderson crosswise flow or crossflow. Counterflow and crossflow

catalytic devices are considered by skilled persons to be two very different solutions within the technical area, particularly because counterflow devices require more complicated turning chamber solutions and offer a more efficient heat exchange (due to the gas stream entering through a uniform temperature zone). As such, for at least these above reasons, a counterflow device as claimed by Applicant inherently includes a different construction than the crossflow device taught by Anderson.

In addition, Applicant's claim 51 also recites "heating or cooling said fluid quantity in said at least three passage sections by said *internal* heat exchange," and Applicant's claim 55 recites "wherein the positioning of said passage sections forms at least one internal heat exchanger with mutual heat exchange between the sections." Anderson does not teach *internal* heat exchange in counterflow. Instead, referring especially to page 13, line 35 to 39, page 17, line 5 to 8, claim 7 and 8 and Figure 1B and 1C, Anderson teaches an *externally* supplied temperature regulation means, wherein the cross-flow catalytic device is combined with a hydrocarbon trap means for exhaust gas injected from an *exterior* source.

Therefore, for at least the reasons discussed above, Anderson does not teach every element of Applicant's claims 51 and 55, or claims 53-54, 56-61, 63-71, 73-82, 86-89, and 93-101 that depend therefrom. Accordingly, Applicant respectfully submits that Anderson does not anticipate Applicant's claims.

#### Rejections under 35 U.S.C. §103(a)

Claim 62 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson in view of design choice. Applicant respectfully traverses.

Applicant's claim 62 depends from Applicant's claim 55. As such, for at least the reasons discussed in the 102 Remarks section, Anderson does not teach every element of Applicant's claim 62.

Accordingly, Applicant respectfully submits that claim 62 is not obvious over Anderson in view of design choice.

Applicant believes that all of the outstanding objections and rejections have been addressed herein and are now overcome. Entry and consideration hereof and issuance of a Notice of Allowance are respectfully requested.

If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

The Office is invited to contact applicant's attorneys at the below-listed telephone number concerning this Amendment or otherwise regarding the present application.

Respectfully submitted,

By: D. R. G.

Daniel R. Gibson  
Registration No. 56,539  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone: 860-286-2929  
Facsimile: 860-286-0115  
Customer No. 23413

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